

1-1 By: Ellis S.B. No. 1880  
1-2 (In the Senate - Filed April 21, 2005; April 25, 2005, read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; May 4, 2005, reported favorably by the following vote:  
1-5 Yeas 5, Nays 0; May 4, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the Buffalo Bayou Management District and the creation  
1-9 of the East Montrose Management District and the Fourth Ward  
1-10 Management District out of part of the territory of the Buffalo  
1-11 Bayou Management District; authorizing taxes and bonds.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 4, Chapter 997, Acts of the 78th  
1-14 Legislature, Regular Session, 2003, is amended to read as follows:

1-15 Sec. 4. BOUNDARIES. The district includes all the  
1-16 territory contained in the following described area:

1-17 POINT OF BEGINNING at the intersection of the west boundary line of  
1-18 Montrose Boulevard right-of-way and the south boundary line of West  
1-19 Dallas, then west along the south boundary line of West Dallas  
1-20 right-of-way to the intersection of the west boundary of Shepherd  
1-21 Drive right-of-way. Then north along the west boundary of Shepherd  
1-22 Drive right-of-way to the intersection of the south boundary of the  
1-23 Buffalo Bayou. Then west along the south boundary of the Buffalo  
1-24 Bayou to the intersection of the south boundary of the Buffalo Bayou  
1-25 and the west boundary of Westcott Street right-of-way. Then north  
1-26 along the west boundary of Westcott Street right-of-way to the  
1-27 intersection of the north boundary of Feagan Street right-of-way.  
1-28 Then east along the north boundary of Feagan Street right-of-way  
1-29 until the intersection of the north boundary of Feagan Street  
1-30 right-of-way and the west boundary of Jackson Hill Street  
1-31 right-of-way. Then north along the west boundary of Jackson Hill  
1-32 Street right-of-way to the intersection of the north boundary of  
1-33 Raymond Street right-of-way. Then west along the north boundary of  
1-34 Raymond Street right-of-way until the intersection of the east  
1-35 boundary of Heights Boulevard right-of-way. Then north along the  
1-36 east boundary of Heights Boulevard right-of-way to the intersection  
1-37 of the south boundary of Washington Avenue right-of-way. Then east  
1-38 along the south boundary of Washington Avenue right-of-way to the  
1-39 intersection of the west boundary line of Montrose Boulevard  
1-40 right-of-way. Then south along the west boundary line of Montrose  
1-41 Boulevard right-of-way to the POINT OF BEGINNING.

1-42 ~~[POINT OF BEGINNING at the intersection of the west boundary line of~~  
1-43 ~~the Houston Downtown Management District and the north boundary of~~  
1-44 ~~Memorial Drive right-of-way, then west along the north boundary of~~  
1-45 ~~Memorial Drive right-of-way to the north boundary of Memorial~~  
1-46 ~~Drive's Heights North exit ramp, then northwest along the north~~  
1-47 ~~boundary of Memorial Drive's Heights North exit ramp to the east~~  
1-48 ~~boundary of Heights boulevard right-of-way, then west across~~  
1-49 ~~Heights Boulevard from the east boundary of Heights Boulevard~~  
1-50 ~~right-of-way to the west boundary of the Heights Boulevard~~  
1-51 ~~right-of-way, then south along the west boundary of Heights~~  
1-52 ~~boulevard right-of-way to the north boundary of Memorial Drive's~~  
1-53 ~~Memorial West entrance ramp, then southwest along the north~~  
1-54 ~~boundary of Memorial Drive's Memorial West entrance ramp to the~~  
1-55 ~~northern boundary line of Memorial Drive right-of-way, then west~~  
1-56 ~~along the northern boundary line of Memorial Drive right-of-way to~~  
1-57 ~~the west boundary line of Shepherd Drive right-of-way, then south~~  
1-58 ~~along the west boundary line of Shepherd Drive right-of-way to the~~  
1-59 ~~centerline of West Dallas, then east along the centerline of West~~  
1-60 ~~Dallas to the intersection of the west boundary of Montrose~~  
1-61 ~~Boulevard right-of-way and the centerline of West Dallas, then~~  
1-62 ~~south along the west boundary line of Montrose Boulevard~~  
1-63 ~~right-of-way to the south boundary line of U.S. Highway 59 and the~~  
1-64 ~~west boundary line of Montrose Boulevard right-of-way, then in an~~

2-1 ~~easterly direction from said intersection along the south boundary~~  
2-2 ~~line of U.S. Highway 59 to the intersection of the west boundary~~  
2-3 ~~line of the Main Street right-of-way and then proceeding from said~~  
2-4 ~~intersection in a northwesterly direction along the boundary line~~  
2-5 ~~of the west Main Street right-of-way paralleling the boundary line~~  
2-6 ~~of the Greater Southeast Management District to the intersection of~~  
2-7 ~~the boundary line of the south Portland Street right-of-way and the~~  
2-8 ~~boundary line of the west Main Street right-of-way, being the~~  
2-9 ~~southern boundary line of the Midtown Management District, then~~  
2-10 ~~proceeding from said intersection in generally a northeasterly~~  
2-11 ~~direction the boundary line parallels the Midtown Management~~  
2-12 ~~District boundary line to the intersection of the west boundary~~  
2-13 ~~line of the US Hwy 45 right-of-way and the north boundary line of~~  
2-14 ~~the Cleveland Street right-of-way, being the western boundary line~~  
2-15 ~~of the Houston Downtown Management District, then north from said~~  
2-16 ~~intersection along the western boundary line of the Houston~~  
2-17 ~~Downtown Management District to the POINT OF BEGINNING.]~~

2-18 SECTION 2. Subsections (a) and (b), Section 9, Chapter 997,  
2-19 Acts of the 78th Legislature, Regular Session, 2003, are amended to  
2-20 read as follows:

2-21 (a) The district is governed by a board of 11 [~~31~~] voting  
2-22 directors appointed under Section 10 of this Act and nonvoting  
2-23 directors as provided by Section 11 of this Act.

2-24 (b) Voting directors serve staggered terms of four years,  
2-25 with six [~~15~~] directors' terms expiring June 1 of an odd-numbered  
2-26 year and five [~~16~~] directors' terms expiring June 1 of the following  
2-27 odd-numbered year.

2-28 SECTION 3. Section 17, Chapter 997, Acts of the 78th  
2-29 Legislature, Regular Session, 2003, is amended to read as follows:

2-30 Sec. 17. REQUIREMENTS FOR FINANCING SERVICES AND  
2-31 IMPROVEMENTS. The board may not finance a service or improvement  
2-32 project with assessments under this Act unless a written petition  
2-33 requesting that improvement or service has been filed with the  
2-34 board. The petition must be signed by:

2-35 (1) the owners of a majority of the assessed value of  
2-36 real property in the district subject to assessment as determined  
2-37 by the most recent certified tax appraisal roll for Harris County;  
2-38 or

2-39 (2) at least 50 persons who own real property in the  
2-40 district, if more than 50 persons own real property in the district  
2-41 as determined by the most recent certified tax appraisal roll for  
2-42 Harris County.

2-43 SECTION 4. Subsections (a), (b), and (c), Section 31,  
2-44 Chapter 997, Acts of the 78th Legislature, Regular Session, 2003,  
2-45 are amended to read as follows:

2-46 (a) The [~~initial~~] board consists of the following persons:

2-47 Pos. No.	Name of Director
2-48 1	Kay Crooker
2-49 2	Mike Garver
2-50 3	<u>William Taylor</u> [ <del>Jackie Martin</del> ]
2-51 4	<u>Max Schuette</u> [ <del>Mark Lee</del> ]
2-52 5	<u>Mark Lee</u> [ <del>John Chase, Jr.</del> ]
2-53 6	<u>Graham Painter</u> [ <del>Adrian Collins</del> ]
2-54 7	<u>Maria Munoz-Blanco</u> [ <del>Max Schuette</del> ]
2-55 8	<u>Tom Hook</u> [ <del>June Deadrick</del> ]
2-56 9	<u>Susan Keeton</u> [ <del>Don Cutrer</del> ]
2-57 10	<u>Claire Caudill</u> [ <del>Raju Adwaney</del> ]
2-58 11	<u>Rey de la Reza</u> [ <del>Mike Mark</del> ]
2-59 [ <del>12</del>	<u>Sia Ravari</u>
2-60 [ <del>13</del>	<u>Cherry Walker</u>
2-61 [ <del>14</del>	<u>John Hansen</u>
2-62 [ <del>15</del>	<u>John Dao</u>
2-63 [ <del>16</del>	<u>William Taylor</u>
2-64 [ <del>17</del>	<u>Karen Domino</u>
2-65 [ <del>18</del>	<u>Kevin Hoffman</u>
2-66 [ <del>19</del>	<u>Jeff Andrews</u>
2-67 [ <del>20</del>	<u>William Paul Thomas</u>
2-68 [ <del>21</del>	<u>Theola Petteway</u>
2-69 [ <del>22</del>	<u>Keith Wade</u>

- 3-1 [23 ~~Chryisse Wilson~~
- 3-2 [24 ~~Sadie Rucker~~
- 3-3 [25 ~~Julie McClure~~
- 3-4 [26 ~~Angie Gomez~~
- 3-5 [27 ~~Tom Fricke~~
- 3-6 [28 ~~James Robert McDermaid~~
- 3-7 [29 ~~Kathy Hubbard~~
- 3-8 [30 ~~Marsha Johnson~~
- 3-9 [31 ~~Craig Jackson~~

3-10 (b) Of these ~~[the initial]~~ directors, the terms of directors  
 3-11 appointed for positions 1 through 5 ~~[15]~~ expire June 1, 2007 ~~[2005]~~,  
 3-12 and the terms of directors appointed for positions 6 ~~[16]~~ through 11  
 3-13 ~~[31]~~ expire June 1, 2009 ~~[2007]~~.

3-14 (d) This section expires September 1, 2009 ~~[2007]~~.

3-15 SECTION 5. Subtitle C, Title 4, Special District Local Laws  
 3-16 Code, is amended by adding Chapter 3848 to read as follows:

3-17 CHAPTER 3848. EAST MONTROSE MANAGEMENT DISTRICT

3-18 SUBCHAPTER A. GENERAL PROVISIONS

3-19 Sec. 3848.001. DEFINITIONS. In this chapter:

3-20 (1) "Board" means the board of directors of the  
 3-21 district.

3-22 (2) "District" means the East Montrose Management  
 3-23 District.

3-24 Sec. 3848.002. EAST MONTROSE MANAGEMENT DISTRICT. The East  
 3-25 Montrose Management District is a special district created under  
 3-26 Section 59, Article XVI, Texas Constitution.

3-27 Sec. 3848.003. PURPOSE; DECLARATION OF INTENT. (a) The  
 3-28 creation of the district is essential to accomplish the purposes of  
 3-29 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
 3-30 Texas Constitution, and other public purposes stated in this  
 3-31 chapter. By creating the district and in authorizing the City of  
 3-32 Houston, Harris County, and other political subdivisions to  
 3-33 contract with the district, the legislature has established a  
 3-34 program to accomplish the public purposes set out in Section 52-a,  
 3-35 Article III, Texas Constitution.

3-36 (b) The creation of the district is necessary to promote,  
 3-37 develop, encourage, and maintain employment, commerce,  
 3-38 transportation, housing, tourism, recreation, the arts,  
 3-39 entertainment, economic development, safety, and the public  
 3-40 welfare in the district.

3-41 (c) This chapter and the creation of the district may not be  
 3-42 interpreted to relieve Harris County or the City of Houston from  
 3-43 providing the level of services provided as of the effective date of  
 3-44 the Act enacting this chapter to the area in the district. The  
 3-45 district is created to supplement and not to supplant the county or  
 3-46 city services provided in the area in the district.

3-47 Sec. 3848.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

3-48 (a) The district is created to serve a public use and benefit.

3-49 (b) All land and other property included in the district  
 3-50 will benefit from the improvements and services to be provided by  
 3-51 the district under powers conferred by Sections 52 and 52-a,  
 3-52 Article III, and Section 59, Article XVI, Texas Constitution, and  
 3-53 other powers granted under this chapter.

3-54 (c) The creation of the district is in the public interest  
 3-55 and is essential to:

3-56 (1) further the public purposes of developing and  
 3-57 diversifying the economy of the state;

3-58 (2) eliminate unemployment and underemployment; and

3-59 (3) develop or expand transportation and commerce.

3-60 (d) The district will:

3-61 (1) promote the health, safety, and general welfare of  
 3-62 residents, employers, employees, visitors, and consumers in the  
 3-63 district and of the public;

3-64 (2) provide needed funding to preserve, maintain, and  
 3-65 enhance the economic health and vitality of the district territory  
 3-66 as a community and business center; and

3-67 (3) promote the health, safety, welfare, and enjoyment  
 3-68 of the public by providing pedestrian ways and by landscaping and  
 3-69 developing certain areas in the district, which are necessary for

4-1 the restoration, preservation, and enhancement of scenic beauty.

4-2 (e) Pedestrian ways along or across a street, whether at  
4-3 grade or above or below the surface, and street lighting, street  
4-4 landscaping, parking, and street art objects are parts of and  
4-5 necessary components of a street and are considered to be a street  
4-6 or road improvement.

4-7 (f) The district will not act as the agent or  
4-8 instrumentality of any private interest even though the district  
4-9 will benefit many private interests as well as the public.

4-10 Sec. 3848.005. DISTRICT TERRITORY. (a) The district is  
4-11 composed of the territory described by Section 6 of the Act enacting  
4-12 this chapter, as that territory may have been modified under:

4-13 (1) Subchapter J, Chapter 49, Water Code; or

4-14 (2) other law.

4-15 (b) The boundaries and field notes of the district contained  
4-16 in Section 6 of the Act enacting this chapter form a closure. A  
4-17 mistake in the field notes or in copying the field notes in the  
4-18 legislative process does not in any way affect the district's:

4-19 (1) organization, existence, or validity;

4-20 (2) right to issue any type of bond for a purpose for  
4-21 which the district is created or to pay the principal of and  
4-22 interest on the bond;

4-23 (3) right to impose or collect an assessment or tax; or

4-24 (4) legality or operation.

4-25 Sec. 3848.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.  
4-26 All or any part of the area of the district is eligible to be  
4-27 included in:

4-28 (1) a tax increment reinvestment zone created by the  
4-29 City of Houston under Chapter 311, Tax Code;

4-30 (2) a tax abatement reinvestment zone created by the  
4-31 City of Houston under Chapter 312, Tax Code; or

4-32 (3) an enterprise zone created by the City of Houston  
4-33 under Chapter 2303, Government Code.

4-34 Sec. 3848.007. APPLICABILITY OF MUNICIPAL MANAGEMENT  
4-35 DISTRICTS LAW. Except as otherwise provided by this chapter,  
4-36 Chapter 375, Local Government Code, applies to the district.

4-37 Sec. 3848.008. LIBERAL CONSTRUCTION OF CHAPTER. This  
4-38 chapter shall be liberally construed in conformity with the  
4-39 findings and purposes stated in this chapter.

4-40 [Sections 3848.009-3848.050 reserved for expansion]

4-41 SUBCHAPTER B. BOARD OF DIRECTORS

4-42 Sec. 3848.051. BOARD OF DIRECTORS; TERMS. (a) The  
4-43 district is governed by a board of 11 voting directors who serve  
4-44 staggered terms of four years, with five or six directors' terms  
4-45 expiring June 1 of each odd-numbered year.

4-46 (b) The board by resolution may change the number of voting  
4-47 directors on the board, but only if the board determines that the  
4-48 change is in the best interest of the district. The board may not  
4-49 consist of fewer than five voting directors.

4-50 Sec. 3848.052. APPOINTMENT OF DIRECTORS. The mayor and  
4-51 members of the governing body of the City of Houston shall appoint  
4-52 directors from persons recommended by the board. A person is  
4-53 appointed if a majority of the members of the governing body,  
4-54 including the mayor, vote to appoint that person.

4-55 Sec. 3848.053. NONVOTING DIRECTORS. (a) The following  
4-56 persons serve as nonvoting directors:

4-57 (1) the directors of the following departments of the  
4-58 City of Houston or a person designated by that director:

4-59 (A) parks and recreation;

4-60 (B) planning and development;

4-61 (C) public works; and

4-62 (D) civic center; and

4-63 (2) the City of Houston's chief of police.

4-64 (b) If a department described by Subsection (a) is  
4-65 consolidated, renamed, or changed, the board may appoint a director  
4-66 of the consolidated, renamed, or changed department as a nonvoting  
4-67 director. If a department described by Subsection (a) is  
4-68 abolished, the board may appoint a representative of another  
4-69 department that performs duties comparable to those performed by

5-1 the abolished department.

5-2 Sec. 3848.054. QUORUM. Nonvoting directors are not counted  
5-3 for the purposes of establishing a board quorum.

5-4 Sec. 3848.055. CONFLICTS OF INTEREST; ONE-TIME AFFIDAVIT.

5-5 (a) Except as provided by this section:

5-6 (1) a director may participate in all board votes and  
5-7 decisions; and

5-8 (2) Chapter 171, Local Government Code, governs  
5-9 conflicts of interest for directors.

5-10 (b) Section 171.004, Local Government Code, does not apply  
5-11 to the district. A director who has a substantial interest in a  
5-12 business or charitable entity that will receive a pecuniary benefit  
5-13 from a board action shall file a one-time affidavit declaring the  
5-14 interest. An additional affidavit is not required if the  
5-15 director's interest changes. After the affidavit is filed with the  
5-16 board secretary, the director may participate in a discussion or  
5-17 vote on that action if:

5-18 (1) a majority of the directors have a similar  
5-19 interest in the same entity; or

5-20 (2) all other similar business or charitable entities  
5-21 in the district will receive a similar pecuniary benefit.

5-22 (c) A director who is also an officer or employee of a public  
5-23 entity may not participate in the discussion of or vote on a matter  
5-24 regarding a contract with that public entity.

5-25 (d) For purposes of this section, a director has a  
5-26 substantial interest in a charitable entity in the same manner that  
5-27 a person would have a substantial interest in a business entity  
5-28 under Section 171.002, Local Government Code.

5-29 Sec. 3848.056. INITIAL VOTING DIRECTORS. (a) The initial  
5-30 board consists of the following voting directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>John Rose</u>
<u>2</u>	<u>Charles Armstrong</u>
<u>3</u>	<u>Aldo Cantania</u>
<u>4</u>	<u>John Hansen</u>
<u>5</u>	<u>Tom Fricke</u>
<u>6</u>	<u>Eduardo Trevino</u>
<u>7</u>	<u>Claude Wynn</u>
<u>8</u>	<u>Kathy Hubbard</u>
<u>9</u>	<u>James Robert McDermaid</u>
<u>10</u>	<u>Julie McClure</u>
<u>11</u>	<u>Angie Gomez</u>

5-43 (b) Of the initial directors, the terms of directors  
5-44 appointed for positions 1 through 6 expire June 1, 2007, and the  
5-45 terms of directors appointed for positions 7 through 11 expire June  
5-46 1, 2009.

5-47 (c) Section 3848.052 does not apply to this section.

5-48 (d) This section expires September 1, 2009.

5-49 [Sections 3848.057-3848.100 reserved for expansion]

5-50 SUBCHAPTER C. POWERS AND DUTIES

5-51 Sec. 3848.101. ADDITIONAL POWERS OF DISTRICT. The district  
5-52 may exercise the powers given to:

5-53 (1) a corporation under Section 4B, Development  
5-54 Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil  
5-55 Statutes), including the power to own, operate, acquire, construct,  
5-56 lease, improve, or maintain a project described by that section;  
5-57 and

5-58 (2) a housing finance corporation created under  
5-59 Chapter 394, Local Government Code, to provide housing or  
5-60 residential development projects in the district.

5-61 Sec. 3848.102. NONPROFIT CORPORATION. (a) The board by  
5-62 resolution may authorize the creation of a nonprofit corporation to  
5-63 assist and act for the district in implementing a project or  
5-64 providing a service authorized by this chapter.

5-65 (b) The nonprofit corporation:

5-66 (1) has each power of and is considered for purposes of  
5-67 this chapter to be a local government corporation created under  
5-68 Chapter 431, Transportation Code; and

5-69 (2) may implement any project and provide any service

6-1 authorized by this chapter.  
6-2 (c) The board shall appoint the board of directors of the  
6-3 nonprofit corporation. The board of directors of the nonprofit  
6-4 corporation shall serve in the same manner as the board of directors  
6-5 of a local government corporation created under Chapter 431,  
6-6 Transportation Code.  
6-7 Sec. 3848.103. AGREEMENTS; GRANTS. (a) The district may  
6-8 make an agreement with or accept a gift, grant, or loan from any  
6-9 person.  
6-10 (b) The implementation of a project is a governmental  
6-11 function or service for the purposes of Chapter 791, Government  
6-12 Code.  
6-13 Sec. 3848.104. AUTHORITY TO CONTRACT FOR LAW ENFORCEMENT.  
6-14 To protect the public interest, the district may contract with  
6-15 Harris County or the City of Houston to provide law enforcement  
6-16 services in the district for a fee.  
6-17 Sec. 3848.105. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The  
6-18 district may join and pay dues to an organization that:  
6-19 (1) enjoys tax-exempt status under Section 501(c)(3),  
6-20 (4), or (6), Internal Revenue Code of 1986; and  
6-21 (2) performs a service or provides an activity  
6-22 consistent with the furtherance of a district purpose.  
6-23 Sec. 3848.106. ECONOMIC DEVELOPMENT PROGRAMS. (a) The  
6-24 district may establish and provide for the administration of one or  
6-25 more programs to promote state or local economic development and to  
6-26 stimulate business and commercial activity in the district,  
6-27 including programs to:  
6-28 (1) make loans and grants of public money; and  
6-29 (2) provide district personnel and services.  
6-30 (b) For purposes of this section, the district has all of  
6-31 the powers of a municipality under Chapter 380, Local Government  
6-32 Code.  
6-33 Sec. 3848.107. NO EMINENT DOMAIN. The district may not  
6-34 exercise the power of eminent domain.  
6-35 [Sections 3848.108-3848.150 reserved for expansion]  
6-36 SUBCHAPTER D. FINANCIAL PROVISIONS  
6-37 Sec. 3848.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
6-38 board by resolution shall establish the number of directors'  
6-39 signatures and the procedure required for a disbursement or  
6-40 transfer of the district's money.  
6-41 Sec. 3848.152. PETITION REQUIRED FOR FINANCING SERVICES AND  
6-42 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
6-43 service or improvement project with assessments under this chapter  
6-44 unless a written petition requesting that service or improvement  
6-45 has been filed with the board.  
6-46 (b) A petition filed under Subsection (a) must be signed by:  
6-47 (1) the owners of a majority of the assessed value of  
6-48 real property in the district subject to assessment according to  
6-49 the most recent certified tax appraisal roll for Harris County; or  
6-50 (2) at least 50 persons who own real property in the  
6-51 district, if more than 50 persons own real property in the district  
6-52 according to the most recent certified tax appraisal roll for  
6-53 Harris County.  
6-54 Sec. 3848.153. ASSESSMENTS; LIENS FOR ASSESSMENTS.  
6-55 (a) The board by resolution may impose and collect an assessment  
6-56 for any purpose authorized by this chapter.  
6-57 (b) An assessment, a reassessment, or an assessment  
6-58 resulting from an addition to or correction of the assessment roll  
6-59 by the district, penalties and interest on an assessment or  
6-60 reassessment, an expense of collection, and reasonable attorney's  
6-61 fees incurred by the district:  
6-62 (1) are a first and prior lien against the property  
6-63 assessed;  
6-64 (2) are superior to any other lien or claim other than  
6-65 a lien or claim for county, school district, or municipal ad valorem  
6-66 taxes; and  
6-67 (3) are the personal liability of and a charge against  
6-68 the owners of the property even if the owners are not named in the  
6-69 assessment proceedings.

7-1 (c) The lien is effective from the date of the board's  
7-2 resolution imposing the assessment until the date the assessment is  
7-3 paid. The board may enforce the lien in the same manner that the  
7-4 board may enforce an ad valorem tax lien against real property.

7-5 (d) The board may make a correction to or deletion from the  
7-6 assessment roll that does not increase the amount of assessment of  
7-7 any parcel of land without providing notice and holding a hearing in  
7-8 the manner required for additional assessments.

7-9 Sec. 3848.154. MAINTENANCE TAX. (a) If authorized at an  
7-10 election held in accordance with Section 3848.157, the district may  
7-11 impose an annual ad valorem tax on taxable property in the district  
7-12 for any district purpose, including to:

- 7-13 (1) maintain and operate the district;
- 7-14 (2) construct or acquire improvements; or
- 7-15 (3) provide a service.

7-16 (b) The board shall determine the tax rate.

7-17 Sec. 3848.155. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND  
7-18 ASSESSMENTS. The district may not impose an impact fee or  
7-19 assessment on the property, including the equipment,  
7-20 rights-of-way, facilities, or improvements, of:

- 7-21 (1) an electric utility or a power generation company  
7-22 as defined by Section 31.002, Utilities Code;
- 7-23 (2) a gas utility as defined by Section 101.003 or  
7-24 121.001, Utilities Code; or
- 7-25 (3) a person who provides to the public cable  
7-26 television or advanced telecommunications services.

7-27 Sec. 3848.156. BONDS AND OTHER OBLIGATIONS. (a) The  
7-28 district may issue bonds or other obligations payable wholly or  
7-29 partly from taxes, assessments, impact fees, revenue, grants, or  
7-30 other money of the district, or any combination of those sources of  
7-31 money, to pay for any authorized purpose of the district.

7-32 (b) The district may issue a bond or other obligation in the  
7-33 form of a bond, note, certificate of participation or other  
7-34 instrument evidencing a proportionate interest in payments to be  
7-35 made by the district, or other type of obligation.

7-36 Sec. 3848.157. TAX AND BOND ELECTIONS. (a) The district  
7-37 shall hold an election in the manner provided by Subchapter L,  
7-38 Chapter 375, Local Government Code, to obtain voter approval before  
7-39 the district imposes an ad valorem tax or issues bonds payable from  
7-40 ad valorem taxes.

7-41 (b) The board may include more than one purpose in a single  
7-42 proposition at an election.

7-43 (c) Section 375.243, Local Government Code, does not apply  
7-44 to the district.

7-45 Sec. 3848.158. CITY NOT REQUIRED TO PAY DISTRICT  
7-46 OBLIGATIONS. Except as provided by Section 375.263, Local  
7-47 Government Code, the City of Houston is not required to pay a bond,  
7-48 note, or other obligation of the district.

7-49 Sec. 3848.159. COMPETITIVE BIDDING. Section 375.221, Local  
7-50 Government Code, applies to the district only for a contract that  
7-51 has a value greater than \$15,000.

7-52 Sec. 3848.160. TAX AND ASSESSMENT ABATEMENTS. The district  
7-53 may grant in the manner authorized by Chapter 312, Tax Code, an  
7-54 abatement for a tax or assessment owed to the district.

7-55 [Sections 3848.161-3848.200 reserved for expansion]

7-56 SUBCHAPTER E. DISSOLUTION

7-57 Sec. 3848.201. DISSOLUTION OF DISTRICT WITH OUTSTANDING  
7-58 DEBT. (a) The board may dissolve the district regardless of  
7-59 whether the district has debt. Section 375.264, Local Government  
7-60 Code, does not apply to the district.

7-61 (b) If the district has debt when it is dissolved, the  
7-62 district shall remain in existence solely for the purpose of  
7-63 discharging its debts. The dissolution is effective when all debts  
7-64 have been discharged.

7-65 SECTION 6. As of the effective date of this Act, the East  
7-66 Montrose Management District includes all territory contained in  
7-67 the following described area in Harris County, Texas:

7-68 UNLESS otherwise specified, the boundaries of this district will  
7-69 travel along the centerline of each street included, and each

8-1 intersection will be the intersection of the centerlines of the  
 8-2 streets mentioned. POINT OF BEGINNING at the intersection of West  
 8-3 Dallas and Montrose Boulevard. Then in a southerly direction along  
 8-4 Montrose Boulevard to its intersection with Sul Ross. Then in a  
 8-5 westerly direction along Sul Ross to its intersection with  
 8-6 Mulberry. Then in a southerly direction along Mulberry to its  
 8-7 intersection with Branard, then east along Branard to its  
 8-8 intersection with Yupon. Then in a southerly direction along Yupon  
 8-9 to where Yupon corners into Colquitt. Then in an easterly direction  
 8-10 along Colquitt to its intersection with Graustark. Then in a  
 8-11 southerly direction along Graustark to the south boundary line of  
 8-12 U.S. Highway 59. Then in an easterly direction from said  
 8-13 intersection along the south boundary line of U.S. Highway 59  
 8-14 proceeding in a northeasterly direction along Spur 527, then  
 8-15 following Spur 527 in a northeasterly direction to its intersection  
 8-16 with the easterly line of Milam Street. Then in a northeasterly  
 8-17 direction along Milam Street to its intersection with the easterly  
 8-18 line of Spur 527. Then in a northerly direction along the easterly  
 8-19 line of Spur 527 to Brazos Street. Then in a northeasterly  
 8-20 direction along Brazos Street to its intersection with Tuam Avenue.  
 8-21 Then in a northwesterly direction along Tuam Avenue to Bagby  
 8-22 Street. Then in a northeasterly direction along Bagby Street to  
 8-23 McGowen Avenue. Then in a northwesterly direction along the  
 8-24 McGowen Avenue to the southerly projection of Bailey Street. Then  
 8-25 following the southerly projection of Bailey Street in a northerly  
 8-26 direction to Bailey Street. Then in a northerly direction along  
 8-27 Bailey Street to the southeast corner of Lot 10 Block 78 of the W.R.  
 8-28 Baker Subdivision, Unrecorded. Then in a westerly direction along  
 8-29 the south line of said W.R. Baker Unrecorded Subdivision, crossing  
 8-30 Gillette Street and continuing to Genesee Street. Then in a  
 8-31 northerly direction along Genesee Street to its intersection with  
 8-32 Cook Street. Then easterly along Cook Street to Gillette Street.  
 8-33 Then northerly along Gillette Street to West Webster Avenue. Then  
 8-34 westerly along West Webster Avenue to Genesee Street. Thence  
 8-35 northerly along Genesee Street to O'Neil Street. Then easterly  
 8-36 along O'Neil Street to Wilson Street. Then northerly along Wilson  
 8-37 Street to West Gray Avenue. Then in a westerly and northwesterly  
 8-38 direction along West Gray Avenue to its intersection with Mason  
 8-39 Street. Then in a northerly direction along Mason Street to Andrews  
 8-40 Street. Then in a westerly direction along Andrews Street to its  
 8-41 intersection with Taft Street. Then in a northerly direction along  
 8-42 Taft Street to its intersection with West Dallas Street. Then in a  
 8-43 westerly direction along West Dallas Street to its intersection  
 8-44 with Montrose Boulevard at the POINT OF BEGINNING.

8-45 SECTION 7. Subtitle C, Title 4, Special District Local Laws  
 8-46 Code, is amended by adding Chapter 3849 to read as follows:

8-47 CHAPTER 3849. FOURTH WARD MANAGEMENT DISTRICT

8-48 SUBCHAPTER A. GENERAL PROVISIONS

8-49 Sec. 3849.001. DEFINITIONS. In this chapter:

8-50 (1) "Board" means the board of directors of the  
 8-51 district.

8-52 (2) "District" means the Fourth Ward Management  
 8-53 District.

8-54 Sec. 3849.002. FOURTH WARD MANAGEMENT DISTRICT. The Fourth  
 8-55 Ward Management District is a special district created under  
 8-56 Section 59, Article XVI, Texas Constitution.

8-57 Sec. 3849.003. PURPOSE; DECLARATION OF INTENT. (a) The  
 8-58 creation of the district is essential to accomplish the purposes of  
 8-59 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
 8-60 Texas Constitution, and other public purposes stated in this  
 8-61 chapter. By creating the district and in authorizing the City of  
 8-62 Houston, Harris County, and other political subdivisions to  
 8-63 contract with the district, the legislature has established a  
 8-64 program to accomplish the public purposes set out in Section 52-a,  
 8-65 Article III, Texas Constitution.

8-66 (b) The creation of the district is necessary to promote,  
 8-67 develop, encourage, and maintain employment, commerce,  
 8-68 transportation, housing, tourism, recreation, the arts,  
 8-69 entertainment, economic development, safety, and the public

9-1 welfare in the district.

9-2 (c) This chapter and the creation of the district may not be  
 9-3 interpreted to relieve Harris County or the City of Houston from  
 9-4 providing the level of services provided as of the effective date of  
 9-5 the Act enacting this chapter to the area in the district. The  
 9-6 district is created to supplement and not to supplant the county or  
 9-7 city services provided in the area in the district.

9-8 Sec. 3849.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

9-9 (a) The district is created to serve a public use and benefit.

9-10 (b) All land and other property included in the district  
 9-11 will benefit from the improvements and services to be provided by  
 9-12 the district under powers conferred by Sections 52 and 52-a,  
 9-13 Article III, and Section 59, Article XVI, Texas Constitution, and  
 9-14 other powers granted under this chapter.

9-15 (c) The creation of the district is in the public interest  
 9-16 and is essential to:

9-17 (1) further the public purposes of developing and  
 9-18 diversifying the economy of the state;

9-19 (2) eliminate unemployment and underemployment; and

9-20 (3) develop or expand transportation and commerce.

9-21 (d) The district will:

9-22 (1) promote the health, safety, and general welfare of  
 9-23 residents, employers, employees, visitors, and consumers in the  
 9-24 district and of the public;

9-25 (2) provide needed funding to preserve, maintain, and  
 9-26 enhance the economic health and vitality of the district territory  
 9-27 as a community and business center; and

9-28 (3) promote the health, safety, welfare, and enjoyment  
 9-29 of the public by providing pedestrian ways and by landscaping and  
 9-30 developing certain areas in the district, which are necessary for  
 9-31 the restoration, preservation, and enhancement of scenic beauty.

9-32 (e) Pedestrian ways along or across a street, whether at  
 9-33 grade or above or below the surface, and street lighting, street  
 9-34 landscaping, parking, and street art objects are parts of and  
 9-35 necessary components of a street and are considered to be a street  
 9-36 or road improvement.

9-37 (f) The district will not act as the agent or  
 9-38 instrumentality of any private interest even though the district  
 9-39 will benefit many private interests as well as the public.

9-40 Sec. 3849.005. DISTRICT TERRITORY. (a) The district is  
 9-41 composed of the territory described by Section 8 of the Act enacting  
 9-42 this chapter, as that territory may have been modified under:

9-43 (1) Subchapter J, Chapter 49, Water Code; or

9-44 (2) other law.

9-45 (b) The boundaries and field notes of the district contained  
 9-46 in Section 8 of the Act enacting this chapter form a closure. A  
 9-47 mistake in the field notes or in copying the field notes in the  
 9-48 legislative process does not in any way affect the district's:

9-49 (1) organization, existence, or validity;

9-50 (2) right to issue any type of bond for a purpose for  
 9-51 which the district is created or to pay the principal of and  
 9-52 interest on the bond;

9-53 (3) right to impose or collect an assessment or tax; or

9-54 (4) legality or operation.

9-55 Sec. 3849.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.  
 9-56 All or any part of the area of the district is eligible to be  
 9-57 included in:

9-58 (1) a tax increment reinvestment zone created by the  
 9-59 City of Houston under Chapter 311, Tax Code;

9-60 (2) a tax abatement reinvestment zone created by the  
 9-61 City of Houston under Chapter 312, Tax Code; or

9-62 (3) an enterprise zone created by the City of Houston  
 9-63 under Chapter 2303, Government Code.

9-64 Sec. 3849.007. APPLICABILITY OF MUNICIPAL MANAGEMENT  
 9-65 DISTRICTS LAW. Except as otherwise provided by this chapter,  
 9-66 Chapter 375, Local Government Code, applies to the district.

9-67 Sec. 3849.008. LIBERAL CONSTRUCTION OF CHAPTER. This  
 9-68 chapter shall be liberally construed in conformity with the  
 9-69 findings and purposes stated in this chapter.

[Sections 3849.009-3849.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3849.051. BOARD OF DIRECTORS; TERMS. (a) The district is governed by a board of 11 voting directors who serve staggered terms of four years, with five or six directors' terms expiring June 1 of each odd-numbered year.

(b) The board by resolution may change the number of voting directors on the board, but only if the board determines that the change is in the best interest of the district. The board may not consist of fewer than five voting directors.

Sec. 3849.052. APPOINTMENT OF DIRECTORS. The mayor and members of the governing body of the City of Houston shall appoint directors from persons recommended by the board. A person is appointed if a majority of the members of the governing body, including the mayor, vote to appoint that person.

Sec. 3849.053. NONVOTING DIRECTORS. (a) The following persons serve as nonvoting directors:

(1) the directors of the following departments of the City of Houston or a person designated by that director:

- (A) parks and recreation;
- (B) planning and development;
- (C) public works; and
- (D) civic center; and

(2) the City of Houston's chief of police.

(b) If a department described by Subsection (a) is consolidated, renamed, or changed, the board may appoint a director of the consolidated, renamed, or changed department as a nonvoting director. If a department described by Subsection (a) is abolished, the board may appoint a representative of another department that performs duties comparable to those performed by the abolished department.

Sec. 3849.054. QUORUM. Nonvoting directors are not counted for the purposes of establishing a board quorum.

Sec. 3849.055. CONFLICTS OF INTEREST; ONE-TIME AFFIDAVIT. (a) Except as provided by this section:

(1) a director may participate in all board votes and decisions; and

(2) Chapter 171, Local Government Code, governs conflicts of interest for directors.

(b) Section 171.004, Local Government Code, does not apply to the district. A director who has a substantial interest in a business or charitable entity that will receive a pecuniary benefit from a board action shall file a one-time affidavit declaring the interest. An additional affidavit is not required if the director's interest changes. After the affidavit is filed with the board secretary, the director may participate in a discussion or vote on that action if:

(1) a majority of the directors have a similar interest in the same entity; or

(2) all other similar business or charitable entities in the district will receive a similar pecuniary benefit.

(c) A director who is also an officer or employee of a public entity may not participate in the discussion of or vote on a matter regarding a contract with that public entity.

(d) For purposes of this section, a director has a substantial interest in a charitable entity in the same manner that a person would have a substantial interest in a business entity under Section 171.002, Local Government Code.

Sec. 3849.056. INITIAL VOTING DIRECTORS. (a) The initial board consists of the following voting directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Keith Wade</u>
<u>2</u>	<u>Karen Domino</u>
<u>3</u>	<u>William Taylor</u>
<u>4</u>	<u>Sadie Rucker</u>
<u>5</u>	<u>Jackie Martin</u>
<u>6</u>	<u>Elmo Johnson</u>
<u>7</u>	<u>June Deadrick</u>
<u>8</u>	<u>Todd Triggs</u>

11-1            9                    Peter Grimm  
11-2            10                   Milton Wilson  
11-3            11                    Ernie Etuk

11-4            (b) Of the initial directors, the terms of directors  
11-5 appointed for positions 1 through 6 expire June 1, 2007, and the  
11-6 terms of directors appointed for positions 7 through 11 expire  
11-7 June 1, 2009.

11-8            (c) Section 3849.052 does not apply to this section.

11-9            (d) This section expires September 1, 2009.

11-10           [Sections 3849.057-3849.100 reserved for expansion]

11-11                            SUBCHAPTER C. POWERS AND DUTIES

11-12            Sec. 3849.101. ADDITIONAL POWERS OF DISTRICT. The district  
11-13 may exercise the powers given to:

11-14            (1) a corporation under Section 4B, Development  
11-15 Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil  
11-16 Statutes), including the power to own, operate, acquire, construct,  
11-17 lease, improve, or maintain a project described by that section;  
11-18 and

11-19            (2) a housing finance corporation created under  
11-20 Chapter 394, Local Government Code, to provide housing or  
11-21 residential development projects in the district.

11-22            Sec. 3849.102. NONPROFIT CORPORATION. (a) The board by  
11-23 resolution may authorize the creation of a nonprofit corporation to  
11-24 assist and act for the district in implementing a project or  
11-25 providing a service authorized by this chapter.

11-26            (b) The nonprofit corporation:

11-27            (1) has each power of and is considered for purposes of  
11-28 this chapter to be a local government corporation created under  
11-29 Chapter 431, Transportation Code; and

11-30            (2) may implement any project and provide any service  
11-31 authorized by this chapter.

11-32            (c) The board shall appoint the board of directors of the  
11-33 nonprofit corporation. The board of directors of the nonprofit  
11-34 corporation shall serve in the same manner as the board of directors  
11-35 of a local government corporation created under Chapter 431,  
11-36 Transportation Code.

11-37            Sec. 3849.103. AGREEMENTS; GRANTS. (a) The district may  
11-38 make an agreement with or accept a gift, grant, or loan from any  
11-39 person.

11-40            (b) The implementation of a project is a governmental  
11-41 function or service for the purposes of Chapter 791, Government  
11-42 Code.

11-43            Sec. 3849.104. AUTHORITY TO CONTRACT FOR LAW ENFORCEMENT.  
11-44 To protect the public interest, the district may contract with  
11-45 Harris County or the City of Houston to provide law enforcement  
11-46 services in the district for a fee.

11-47            Sec. 3849.105. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The  
11-48 district may join and pay dues to an organization that:

11-49            (1) enjoys tax-exempt status under Section 501(c)(3),  
11-50 (4), or (6), Internal Revenue Code of 1986; and

11-51            (2) performs a service or provides an activity  
11-52 consistent with the furtherance of a district purpose.

11-53            Sec. 3849.106. ECONOMIC DEVELOPMENT PROGRAMS. (a) The  
11-54 district may establish and provide for the administration of one or  
11-55 more programs to promote state or local economic development and to  
11-56 stimulate business and commercial activity in the district,  
11-57 including programs to:

11-58            (1) make loans and grants of public money; and

11-59            (2) provide district personnel and services.

11-60            (b) For purposes of this section, the district has all of  
11-61 the powers of a municipality under Chapter 380, Local Government  
11-62 Code.

11-63            Sec. 3849.107. NO EMINENT DOMAIN. The district may not  
11-64 exercise the power of eminent domain.

11-65            [Sections 3849.108-3849.150 reserved for expansion]

11-66                            SUBCHAPTER D. FINANCIAL PROVISIONS

11-67            Sec. 3849.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
11-68 board by resolution shall establish the number of directors'  
11-69 signatures and the procedure required for a disbursement or

12-1 transfer of the district's money.

12-2 Sec. 3849.152. PETITION REQUIRED FOR FINANCING SERVICES AND  
 12-3 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
 12-4 service or improvement project with assessments under this chapter  
 12-5 unless a written petition requesting that service or improvement  
 12-6 has been filed with the board.

12-7 (b) A petition filed under Subsection (a) must be signed by:  
 12-8 (1) the owners of a majority of the assessed value of  
 12-9 real property in the district subject to assessment according to  
 12-10 the most recent certified tax appraisal roll for Harris County; or  
 12-11 (2) at least 50 persons who own real property in the  
 12-12 district, if more than 50 persons own real property in the district  
 12-13 according to the most recent certified tax appraisal roll for  
 12-14 Harris County.

12-15 Sec. 3849.153. ASSESSMENTS; LIENS FOR ASSESSMENTS.  
 12-16 (a) The board by resolution may impose and collect an assessment  
 12-17 for any purpose authorized by this chapter.

12-18 (b) An assessment, a reassessment, or an assessment  
 12-19 resulting from an addition to or correction of the assessment roll  
 12-20 by the district, penalties and interest on an assessment or  
 12-21 reassessment, an expense of collection, and reasonable attorney's  
 12-22 fees incurred by the district:

12-23 (1) are a first and prior lien against the property  
 12-24 assessed;  
 12-25 (2) are superior to any other lien or claim other than  
 12-26 a lien or claim for county, school district, or municipal ad valorem  
 12-27 taxes; and  
 12-28 (3) are the personal liability of and a charge against  
 12-29 the owners of the property even if the owners are not named in the  
 12-30 assessment proceedings.

12-31 (c) The lien is effective from the date of the board's  
 12-32 resolution imposing the assessment until the date the assessment is  
 12-33 paid. The board may enforce the lien in the same manner that the  
 12-34 board may enforce an ad valorem tax lien against real property.

12-35 (d) The board may make a correction to or deletion from the  
 12-36 assessment roll that does not increase the amount of assessment of  
 12-37 any parcel of land without providing notice and holding a hearing in  
 12-38 the manner required for additional assessments.

12-39 Sec. 3849.154. MAINTENANCE TAX. (a) If authorized at an  
 12-40 election held in accordance with Section 3849.157, the district may  
 12-41 impose an annual ad valorem tax on taxable property in the district  
 12-42 for any district purpose, including to:

12-43 (1) maintain and operate the district;  
 12-44 (2) construct or acquire improvements; or  
 12-45 (3) provide a service.

12-46 (b) The board shall determine the tax rate.

12-47 Sec. 3849.155. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND  
 12-48 ASSESSMENTS. The district may not impose an impact fee or  
 12-49 assessment on the property, including the equipment,  
 12-50 rights-of-way, facilities, or improvements, of:

12-51 (1) an electric utility or a power generation company  
 12-52 as defined by Section 31.002, Utilities Code;  
 12-53 (2) a gas utility as defined by Section 101.003 or  
 12-54 121.001, Utilities Code; or  
 12-55 (3) a person who provides to the public cable  
 12-56 television or advanced telecommunications services.

12-57 Sec. 3849.156. BONDS AND OTHER OBLIGATIONS. (a) The  
 12-58 district may issue bonds or other obligations payable wholly or  
 12-59 partly from taxes, assessments, impact fees, revenue, grants, or  
 12-60 other money of the district, or any combination of those sources of  
 12-61 money, to pay for any authorized purpose of the district.

12-62 (b) The district may issue a bond or other obligation in the  
 12-63 form of a bond, note, certificate of participation or other  
 12-64 instrument evidencing a proportionate interest in payments to be  
 12-65 made by the district, or other type of obligation.

12-66 Sec. 3849.157. TAX AND BOND ELECTIONS. (a) The district  
 12-67 shall hold an election in the manner provided by Subchapter L,  
 12-68 Chapter 375, Local Government Code, to obtain voter approval before  
 12-69 the district imposes an ad valorem tax or issues bonds payable from

13-1 ad valorem taxes.

13-2 (b) The board may include more than one purpose in a single  
13-3 proposition at an election.

13-4 (c) Section 375.243, Local Government Code, does not apply  
13-5 to the district.

13-6 Sec. 3849.158. CITY NOT REQUIRED TO PAY DISTRICT  
13-7 OBLIGATIONS. Except as provided by Section 375.263, Local  
13-8 Government Code, the City of Houston is not required to pay a bond,  
13-9 note, or other obligation of the district.

13-10 Sec. 3849.159. COMPETITIVE BIDDING. Section 375.221, Local  
13-11 Government Code, applies to the district only for a contract that  
13-12 has a value greater than \$15,000.

13-13 Sec. 3849.160. TAX AND ASSESSMENT ABATEMENTS. The district  
13-14 may grant in the manner authorized by Chapter 312, Tax Code, an  
13-15 abatement for a tax or assessment owed to the district.

13-16 [Sections 3849.161-3849.200 reserved for expansion]

13-17 SUBCHAPTER E. DISSOLUTION

13-18 Sec. 3849.201. DISSOLUTION OF DISTRICT WITH OUTSTANDING  
13-19 DEBT. (a) The board may dissolve the district regardless of  
13-20 whether the district has debt. Section 375.264, Local Government  
13-21 Code, does not apply to the district.

13-22 (b) If the district has debt when it is dissolved, the  
13-23 district shall remain in existence solely for the purpose of  
13-24 discharging its debts. The dissolution is effective when all debts  
13-25 have been discharged.

13-26 SECTION 8. As of the effective date of this Act, the Fourth  
13-27 Ward Management District includes all territory contained in the  
13-28 following described area in Harris County, Texas:

13-29 UNLESS otherwise specified, the boundaries of this district will  
13-30 travel along the centerline of each street included, and each  
13-31 intersection will be the intersection of the centerlines of the  
13-32 streets mentioned. POINT OF BEGINNING at the intersection of  
13-33 Heiner Street with Allen Parkway. Then in a westerly direction  
13-34 along Allen Parkway to its intersection with Montrose Boulevard.

13-35 Then in a southerly direction along Montrose Boulevard to its  
13-36 intersection with West Dallas Street. Then in an easterly  
13-37 direction along West Dallas Street to its intersection with Taft  
13-38 Street. Then in a southerly direction along Taft Street to its  
13-39 intersection with Welch Avenue. Then in an easterly direction  
13-40 along Welch Avenue to its intersection with Genesee Street and  
13-41 Dennis Avenue. Then in a northerly direction along Genesee Street  
13-42 to its intersection with Sutton. Then in an easterly direction  
13-43 along Sutton to its intersection with Bailey Street.

13-44 Then in a northerly direction along Bailey Street to its  
13-45 intersection with West Webster Avenue. Then in an easterly  
13-46 direction along West Webster Avenue to its intersection with  
13-47 Webster Avenue. Then in a northwesterly direction along Webster  
13-48 Avenue to its intersection with West Gray Avenue. Then in an  
13-49 easterly and southeasterly direction along West Gray Avenue to its  
13-50 intersection with Baldwin Street. Then in a northeasterly  
13-51 direction along Baldwin Street to its intersection with St. Joseph.  
13-52 Then in a northwesterly direction along St. Joseph to the southerly  
13-53 dead end of Arthur Street. Then in a northerly direction along  
13-54 Arthur Street to its intersection with Cleveland Street. Then in an  
13-55 easterly direction along Cleveland Street to its intersection with  
13-56 Heiner Street. Then in a northerly direction along Heiner Street to  
13-57 the POINT OF BEGINNING.

13-58 SECTION 9. The legislature finds that:

13-59 (1) proper and legal notice of the intention to  
13-60 introduce this Act, setting forth the general substance of this  
13-61 Act, has been published as provided by law, and the notice and a  
13-62 copy of this Act have been furnished to all persons, agencies,  
13-63 officials, or entities to which they are required to be furnished by  
13-64 the constitution and laws of this state, including the governor,  
13-65 who has submitted the notice and Act to the Texas Commission on  
13-66 Environmental Quality;

13-67 (2) the Texas Commission on Environmental Quality has  
13-68 filed its recommendations relating to this Act with the governor,  
13-69 lieutenant governor, and speaker of the house of representatives

14-1 within the required time;

14-2 (3) the general law relating to consent by political  
14-3 subdivisions to the creation of districts with conservation,  
14-4 reclamation, and road powers and the inclusion of land in those  
14-5 districts has been complied with; and

14-6 (4) all requirements of the constitution and laws of  
14-7 this state and the rules and procedures of the legislature with  
14-8 respect to the notice, introduction, and passage of this Act have  
14-9 been fulfilled and accomplished.

14-10 SECTION 10. This Act takes effect immediately if it  
14-11 receives a vote of two-thirds of all the members elected to each  
14-12 house, as provided by Section 39, Article III, Texas Constitution.  
14-13 If this Act does not receive the vote necessary for immediate  
14-14 effect, this Act takes effect September 1, 2005.

14-15 \* \* \* \* \*